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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ELIZABETH WATERMAN,

Plaintiff,

V.

TIKTOK, INC.,

Defendant.

Case No. 2:24-CV-04802-AB-AJR

**DECLARATION OF J. MICHAEL
KEYES IN SUPPORT OF
DEFENDANT'S MOTION TO
DISMISS COMPLAINT**

Hon. André Birotte Jr.

Date: October 4, 2024

Time: 10:00 a.m.

Courtroom: 7B

Complaint filed: June 7, 2024

1 I, J. Michael Keyes, hereby declares as follows:

2 1. I am a partner with the law firm of Dorsey & Whitney LLP. I am over
3 the age of 18 and am counsel of record for Defendant TikTok, Inc. (“Defendant” or
4 “TTI”) in the above-referenced action.

5 2. I make and submit this declaration in connection with Defendant’s
6 Motion to Dismiss the Complaint filed by Plaintiff Elizabeth Waterman (“Plaintiff”).

7 3. On July 29, 2024, I participated in a meet and confer with Plaintiff’s
8 counsel to discuss Defendant’s Motion to Dismiss. The meet and confer was
9 conducted via Zoom.

10 4. At the meet and confer, we discussed issues relating to Plaintiff’s
11 ownership of the copyright registrations, her direct copyright infringement claim, her
12 vicarious copyright infringement claim, and her contributory infringement claim.

13 5. Following the meet and confer, the parties agreed to a fourteen (14) day
14 extension of time for Defendant to respond to the Complaint. Dkt. 22.

15 6. The parties were unable to resolve the issues addressed in Defendant’s
16 Motion to Dismiss.

17

18 I certify under penalty of perjury under the laws of the United States and the
19 State of California that the foregoing is true and correct.

20

21 Executed this 19th day of August, 2024 in Spokane, Washington.

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23 /s/ J. Michael Keyes
24 J. Michael Keyes

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CERTIFICATE OF SERVICE

2 I hereby certify that on August 19, 2024, a true and correct copy of the
3 foregoing was filed electronically using the Court's CM/ECF system, which shall
4 send notification of such filing to all counsel of record. Any counsel of record who
5 has not consented to electronic service through the Court's CM/ECF system will be
6 served by electronic mail.

/s/ J. Michael Keyes
J. Michael Keyes, SBN 262281